

Appl. No.: 10/626,903
Amdt. dated: 12/30/2005
Reply to Office action of 09/21/2005

REMARKS / ARGUMENTS

In the office action of September 21, 2005, claims 1-3, 6-8, 11-13, and 16-18 were rejected and claims 4, 5, 8-10, 14, 15, 19 and 20 were objected to as allowable but based upon rejected base claims. The applicants respectfully request reconsideration.

Claims 1-3, 6-8, 11-13, and 16-18 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Peters et al., U.S. Patent No. 6,002,263 (Peters) in view of Blanz, U.S. Patent No. 5,097,207 (Blanz). Peters discloses an enclosure for a probe station chuck comprising a conductive wall having an inner surface defining a chamber substantially enclosing the device supporting surface of the chuck but the office action concedes that Peters does not disclose and, the applicants submit, Peters does not suggest, a thermal device arranged to modify the temperature of the device supporting surface of the chuck or an enclosure that comprises a conductive wall including an inner surface having a portion separating the device supporting surface of the chuck from a thermal device. Moreover, the applicants assert that at the time the invention claimed in the instant application, serial number 10/626,923, was invented, the invention and the subject matter disclosed in Peters were owned or subject to an obligation of assignment to the same entity, Cascade Microtech, Inc., as indicated by the assignment records (reel/ frame: 014335/0083 and reel/frame 008615/0534, respectively), and, pursuant to 35 U.S.C. 103(c), Peters, alone or in combination with any other art, cannot provide a basis for rejecting the claims of the instant application under 35 U.S.C. 103(a).

The office action also asserts that Blanz discloses a probe station comprising a probe station chuck 40 and a thermal device (resistance heaters 136) embedded in apertures 82, 84, 86 in the chuck disk 42 for modifying the temperature of the chuck 40 and "teaches a conductive wall (70, 48, 50, 52, 54, 56, 58) having a portion separating the probe station chuck (40) from the thermal device (136)," as illustrated in FIG. 3. It is respectfully submitted that the shoulder 70 of the chuck disk 42 (column 4, line(s) 54) and the discontinuous, spaced apart rings 48, 50, 52 (column 4, line(s) 32) having free ends 54, 56, 58 (column 4, line(s) 40) (1) do not comprise a wall as asserted in the office action; (2) do not comprise a portion of a wall of a probe station enclosure; and (3) do not separate the resistance heaters 136 located in the apertures 82, 84, 86 in the chuck disk 42 from the device supporting surface (planar semiconductor wafer

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receiving face 44) of the chuck 40. Further, the applicants submit that Blanz discloses an enclosure, illustrated by a dashed line 212, for the chuck 40 of the cryogenic probe station enabling the probe station to be maintained at a "positive nitrogen pressure" (col. 10 , line(s) 24-27), but Blanz does not disclose or suggest that a wall of this enclosure includes an inner surface having a portion separating the device supporting surface 44 of the chuck 40 from the thermal devices 136 located in the apertures in the chuck disk. The applicants respectfully submit that the probe station chuck enclosures of claims 1 and 11 are not obvious from the combination of Peters and Blanz because a rejection under 35 U.S.C. 103(a) can not be based on Peters pursuant to 35 U.S.C. 103(c); neither Peters nor Blanz discloses or suggests an enclosure for a probe station chuck that includes a conductive wall having a surface that separates the device supporting surface of the chuck from a thermal device arranged to modify the temperature of the device supporting surface; and neither suggests any reason or provides any motivation for such an arrangement of a wall of a probe station enclosure. The applicants respectfully request withdrawal of the rejection and the allowance of claims 1 and 11.

With regard to claims 2, 3, 6-8, 12, 13, and 16-18, the applicants submit that the claims are dependent from claim 1 or claim 11, or a claim dependent from claim 1 or claim 11, and inherit all of the limitations of the claims from which each respectively depends. The applicants respectfully submit that since claims 1 and 11 is not obvious from Peters and Blanz for the reasons stated above, claims 2, 3, 6-8, 12, 13, and 16-18 are not obvious from Peters and Blanz for the same reasons. The applicants respectfully request withdrawal of the rejection and allowance of claims 2, 3, 6-8, 12, 13, and 16-18.

With regard to claims 4, 5, 8-10, 14, 15, 19 and 20, the applicants acknowledge the allowability of the subject matter. The claims are dependent from claim 1 or claim 11, or a claim dependent from claim 1 or claim 11, and, for the reasons stated above, the applicants submit that the claims from which claims 4, 5, 8-10, 14, 15, 19 and 20 respectively depend are allowable. Therefore, the applicants respectfully request withdrawal of the objection and allowance of claims 4, 5, 8-10, 14, 15, 19 and 20.

The applicants respectfully request that a timely Notice of Allowance be issued in this case. If the Examiner believes that for any reason direct contact with applicants' attorney would

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advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the number below.

Respectfully submitted,
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